

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	3:73-cv-00127-MMD-WGC
)	
Plaintiff,)	
)	<u>MINUTES OF THE COURT</u>
WALKER RIVER PAIUTE TRIBE,)	
)	
Plaintiff-Intervenor,)	May 20, 2019
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, <i>et al.</i> ,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is the motion of Mica Farms, LLC, for an order permitting the withdrawal of its attorneys Laura A. Schroeder, Esq., Therese A. Ure, Esq., of Schroeder Law Offices, P.C. It appears that Mica Farms, LLC, is attempting to proceed as an “unrepresented party” in this case. (ECF No. 2489 at 1-2.)

The law is clear in the Ninth Circuit that a corporation or other similar type of business organization cannot proceed without representation of counsel. Although 28 U.S.C. § 1654 allows “parties” to “plead and conduct their own cases personally,” the statute has not been interpreted to allow corporations or other business entities, such as an “LLC,” to do so. “Corporations and other unincorporated associations must appear in court through an attorney.” *In re America W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (per curiam) (citations omitted). This rule “prohibits *pro se* plaintiffs from pursuing claims on behalf of others in a representative capacity.” *Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008); *see also C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987) (trustee may not appear *pro se* because he is not the person who by substantive law has the right sought to be enforced).

///

///

MINUTES OF THE COURT
3:73-cv-00127-MMD-WGC
May 20, 2019
Page Two

As Judge Hicks noted in *HDR Insurance Managers, LLC v. Summit Insurance Services, Inc.*, No. 2:09-cv-0380-LRH-GWF (D. Nev. 2011),

It is well recognized that a corporation may only appear in federal court through licensed counsel. *See e.g., Rowland v. California Mens Colony, Unit II Mens' Advisory Council*, 506 U.S. 194, 200-201 (1983); *In re Highley*, 459 F.3d 554, 555 (9th Cir. 1972).

Therefore, the court must deny the Mica Farms/Mica Farms' counsels' motion (ECF No. 2489).

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: _____ /s/
Deputy Clerk